

23289. Adulteration and misbranding of Manikin Tea. U. S. v. 21 Packages of Manikin Tea. Default decree of condemnation and destruction. (F. & D. no. 33295. Sample no. 7301-B.)

This case involved a product represented to be a safe, harmless beverage. Analysis showed that it contained the drug senna which might have rendered it injurious. The labeling contained unwarranted curative and therapeutic claims.

On August 23, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 packages of Manikin Tea at Dover, N. J., alleging that the article had been shipped in interstate commerce, on or about September 5, 1933, by the Manikin Products, Inc., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of senna leaves, calendula flowers, coriander fruits, anise seed, marine algae (fucus), sassafras bark, corn flowers, and althea roots.

The article was alleged to be adulterated under the provisions of the law relating to food, in that it contained an added deleterious ingredient, senna, which might have rendered it injurious to health.

Misbranding was alleged under the provisions of the law relating to foods and drugs in that the following statements in the labeling were false and misleading: (Carton) "Manikin * * * For a Fashionable Figure Guaranteed Absolutely Safe. A pleasant Beverage of Finest Herbs * * * harmless * * * Manikin Tea is a simple, safe, reliable aid in weight reduction * * * Don't envy the slim, graceful figure of a Fashion Manikin. Have one yourself"; (circular) "Manikin * * * For a Fashionable Figure Guaranteed Absolutely Safe. A Pleasant Beverage of Finest Herbs * * * use this beverage. * * * this excellent beverage to attain a youthful, athletic figure. * * * Manikin Tea is 100% * * * Harmless * * * it is absolutely harmless, * * * In other words, the fruits of Mother Nature have been utilized in the preparation of Manikin Tea. In taking it regularly you can do so with the absolute assurance that you are drinking a good, safe beverage." Misbranding was alleged under the provisions of the law relating to drugs in that the following statements in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Carton) "It * * * effectively promotes Chemical Balance in the body"; (circular) "A boon to overweight people. The reduction of excess weight should be brought about safely. Don't try working it off too strenuously; that is certainly dangerous, and one may say hopeless; fasting is out of the question; reduction of excess flesh should be gradual, natural and pleasant. The laxative qualities of Mankin Tea are such that the intestinal tract is thoroughly cleansed. In the opinion of medical authorities who have studied the subject, proper elimination is essential in order that the body may have Chemical Balance. When the body possesses chemical balance, the possibility of overweight is brought down to a minimum. Manikin Tea together with a common-sense diet and normal activities is an aid to weight reduction. The Manikin Tea method is designed to bring the body down to normal weight but—and this is important—Manikin Tea Does Not Lower The Body Vitality. On the contrary, while the Manikin Tea method assists in ridding the body of fat tissues, it, at the same time, helps to firm up the entire human system. In effecting proper elimination, Manikin Tea aids in establishing the proper circulation of the blood. No Starvation Diets—No Strenuous Exercises. The use of Manikin Tea by overweight men and women does not require any specific diets nor does it call for strenuous exercise. Of course, there are certain types of obesity which are caused by glandular or other organic troubles. In such instances, it is advisable to consult a reputable physician. Overweight persons who drink the delicious Manikin Tea may eat reasonable meals three times a day; there is no need to go hungry. Of course, there are some foods that are excluded, but these are so few that you will not miss them. For instance, These Are Some Of The Foods Which Cause Excess Weight: * * * carbohydrates * * * You need these to burn up fat. The Following List Gives a Fairly Good Idea Of The Kinds Of Food That You May Eat While Reducing—Foods Which, In The Opinion Of Several Well-Known Dieticians, Help To Bring About Chemical Balance In Your Body: * * * Do not think that Manikin Tea will reduce excess flesh overnight. It must be taken consistently, but that certainly is not

a hardship * * * And in drinking Manikin Tea simply throw away your alory list and live a normal healthy life. * * * Manikin Tea is made from * * * excellent health maintaining herbs. * * * to attain a youthful athletic figure. Don't Envy The Sylphlike Figure Of A Fashion Manikin. Drink Manikin Tea And Have One Yourself."

On October 24, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23290. Adulteration and misbranding of compound Epsom salt tablets. U. S. v. 109 Bottles and 99 Bottles of Compound Epsom Salt Tablets. Default decree of condemnation and destruction. (F. & D. no. 33298. Sample nos. 7309-B, 7310-B.)

This case involved a product labeled to convey the impression that it was essentially a preparation of Epsom salt. Analysis showed that it contained phenolphthalein and aloin, which would produce its principal physiological effects, the Epsom salt present being relatively unimportant.

On August 24, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 208 bottles of compound Epsom salt tablets at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce, on or about July 5, 1934, by the Marlo Products Co., from Cleveland, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Compound Epsom Salt Tablets * * * Marlo Products Co. Distributors."

Analysis showed that the tablets consisted essentially of phenolphthalein (0.6 grain per tablet), aloin, Epsom salt (2.1 grains per tablet), and were coated with sugar and calcium carbonate.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Compound Epsom Salt Tablets."

Misbranding was alleged for the reason that the statement on the label, "Compound Epsom Salt Tablets", was false and misleading, since the proportion of Epsom salt in the product was so small that it would have no detectable physiological effect.

On September 17, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23291. Misbranding of Rooks' Enteritis Powder. U. S. v. Seventeen 1-Pound Cans, et al., of Rooks' Enteritis Powder. Default decree of condemnation and destruction. (F. & D. no. 33302. Sample no. 77510-A.)

This case involved a drug preparation, the label of which contained unwarranted curative and therapeutic claims.

On August 28, 1934, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying the seizure and condemnation of 29 cans of Rooks' Enteritis Powder at Walpole, N. H., alleging that the article had been shipped in interstate commerce, on or about July 3 and September 17, 1933, by C. G. Rooks, from Sidney, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of zinc sulphate, a calcium compound, a small proportion of a chloride, a small proportion of iron compound, and plant material.

The article was alleged to be misbranded in that the following statements appearing on the label, were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: "Enteritis Powder Coccidiosis—Enteritis—Paralysis in Poultry * * * In severe cases two or three successive treatments, * * * Flocks suffering from Coccidiosis and Enteritis frequently show scattered worm infestation; but it is almost useless to treat for worms until the digestive tract is restored to health. * * * This powder acts as a mild antiseptic for healing, cleaning irritated intestines."

On October 5, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*